

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

ROY ADEY, WALTER ALLEN,
MICHAEL BAILEY, LARRY BARKLEY,
JOSEPH S. BUCHMELTER,
JEFFREY W. BURRIER, RONALD CONWAY,
MARK CRANE, TOM DiCARLANTONIO,
KEITH DICHAZI, DENNY GALOWNIA,
GEORGE GAUGHENBAUGH, RUSSELL GRAHAM,
MICHAEL HAWKINBERRY, RAYMOND HAYNES,
RICHARD HIRKALA, LARRY KEISTER,
LARRY KELLER, TERRY KNIGHT,
JAMES KRANAK, DONALD LONG,
ALAN LOWE, JAMES MCCARDEL,
ROBERT McLAUGHLIN, RONALD MERRINGER,
PAUL MISCH, ROBERT MURRAY,
PATRICK NOSKO, MICHAEL PETERSON,
FRANK PORCO, LARRY POWELL,
BRADLEY RAVEAUX, FRANKLIN RECKNER,
HOMER RICHARDSON, JR., THOMAS ROMITTI,
MATT SATKOWSKI, JOHN SCHERICH,
BERNARD SMITH, ROGER L. SPARKS,
JOSEPH SPERLAZZA, BRETT THOMAS,
LAWRENCE TICE, ERIC L. TURNER,
GARY WEDGEWOOD, CLYDE WHIPKEY,
KEITH WHITE, RONALD WHITE,
RICHARD WILLIAMS and MICHAEL YOUNG,
adult individuals,

Plaintiffs,

v.

Civil Action No. 5:07CV18
(STAMP)

PENSION BENEFIT GUARANTY CORPORATION,
a non-profit corporation,

Defendant.

ORDER ESTABLISHING BRIEFING SCHEDULE

On September 19, 2007, this Court held a scheduling conference following receipt of the parties' planning meeting report. In the report, the parties request an opportunity to brief certain discovery issues prior to the entry of a scheduling order. At the hearing, the parties explained their respective positions regarding

the scope of discovery. This Court believes that it would benefit from a briefing of the discovery issues. Accordingly, by agreement of the parties, the following briefing schedule is ESTABLISHED:

(1) On or before October 3, 2007, the defendant shall compile and file the administrative record that was before the Pension Benefit Guaranty Corporation Appeals Board at the time that it made its decision in this matter.

(2) On or before October 17, 2007, the plaintiffs and the defendant shall file cross-briefs regarding the extent of discovery that can be developed by the parties in this type of case. Because the parties agree that discovery is necessary on the approval and execution of the Plan Termination Agreement, briefing on that portion of discovery is unnecessary.

(3) On or before October 31, 2007, the plaintiffs and the defendant shall file cross-briefs in response.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: September 19, 2007

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE